

**MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
REGIONAL COUNCIL MEETING**

March 31, 2010  
MAG Office, Saguaro Room  
Phoenix, Arizona

**MEMBERS ATTENDING**

Councilwoman Peggy Neely, Phoenix, Chair	Vice Mayor Georgia Lord for Mayor James M.
Mayor Thomas Schoaf, Litchfield Park,	Cavanaugh, Goodyear
Vice Chair	Mayor Yolanda Solarez, Guadalupe
# Councilwoman Robin Barker, Apache Junction	* Supervisor Mary Rose Wilcox, Maricopa Co.
# Mayor Marie Lopez Rogers, Avondale	Mayor Scott Smith, Mesa
Mayor Jackie Meck, Buckeye	* Mayor Vernon Parker, Paradise Valley
Mayor David Schwan, Carefree	# Mayor Bob Barrett, Peoria
Councilman Dick Esser, Cave Creek	# Mayor Arthur Sanders, Queen Creek
# Mayor Boyd Dunn, Chandler	* President Diane Enos, Salt River
# Mayor Michele Kern, El Mirage	Pima-Maricopa Indian Community
* President Clinton Pattea, Fort McDowell	# Mayor Jim Lane, Scottsdale
Yavapai Nation	Councilwoman Sharon Wolcott, Surprise
Mayor Jay Schlum, Fountain Hills	# Mayor Hugh Hallman, Tempe
* Mayor Ron Henry, Gila Bend	* Mayor Adolfo Gamez, Tolleson
* Governor William Rhodes, Gila River Indian	# Mayor Kelly Blunt, Wickenburg
Community	# Mayor Michael LeVault, Youngtown
Mayor John Lewis, Gilbert	* Felipe Zubia, State Transportation Board
* Mayor Elaine Scruggs, Glendale	* Victor Flores, State Transportation Board
	# Roc Arnett, Citizens Transportation Oversight Committee

\* Those members neither present nor represented by proxy.

# Attended by telephone conference call.

+ Attended by videoconference call.

1. Call to Order

The meeting of the MAG Regional Council was called to order by Chair Peggy Neely at 5:02 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chair Neely commented that she was proud of those who were able to attend the meeting in person and hoped to see everyone in person at the meeting next month. She said that it was nice to meet with people fact to face. Chair Neely noted that Roc Arnett, Councilwoman Robin Barker, Mayor Bob

Barrett, Mayor Kelly Blunt, Mayor Boyd Dunn, Mayor Michele Kern, Mayor Jim Lane, Mayor Michael LeVault, and Mayor Art Sanders were participating by teleconference.

Chair Neely introduced Vice Mayor Georgia Lord as proxy for Mayor Jim Cavanaugh.

Chair Neely announced that the Transportation Policy Committee recommended approval of agenda item #5C at its meeting on March 24th, and she noted that a chart for agenda item #9 showing the status of legislation of interest to the MAG region was at each place.

Chair Neely requested that members of the public who would like to comment fill out a blue public comment card for the Call to the Audience agenda item or a yellow public comment card for Consent Agenda items, or items on the agenda for action. Parking garage validation and transit tickets for those who used transit to attend the meeting were available.

### 3. Call to the Audience

Chair Neely noted that public comment cards were available to members of the audience who wish to speak on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens are requested to not exceed a three minute time period for their comments. A total of 15 minutes is provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

Chair Neely recognized public comment from Dianne Barker, who said that she took the bus and light rail to the meeting. She said she had started out for Phoenix City Hall, but it was closed due to the Cesar Chavez holiday. Ms. Barker commented that she missed Chair Neely at the joint hearing and she said that the hearing was positive. She reported that most of the speakers said they favor transit and want more alternatives even though they drive cars. Ms. Barker referenced an Arizona Republic article that reported on three studies being planned by ADOT and about using the Canadian strategy of splitting local and through freeway traffic to increase capacity. She commented that doubling of the population is projected in the next 50 years, however, the freeways are underbuilt, there is no money, and they need a bigger scope. Ms. Barker stated that an acquaintance of hers wanted her to encourage leaving cars at home for one week and getting around by alternative modes: bicycle, bus, etc. She said that she had received an email that day that said that MAG never listened to the writer, but Ms. Barker noted that MAG has updated its public participation plan so the public can go on the record. Ms. Barker commented on the fiscal situation and said that we are at a place where we can use scarce resources more wisely. Chair Neely thanked Ms. Barker for her comments.

### 5. Approval of Consent Agenda

This agenda item was taken out of order.

Chair Neely noted that agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, and #5J were on the Consent Agenda. She noted that no public comment cards had been received.

Chair Neely asked members if they had questions or requests to hear an item individually. No requests were noted.

Councilman Esser moved to approve the Consent Agenda. Mayor Barrett seconded, and the motion passed unanimously.

5A. Approval of the February 24, 2010, Meeting Minutes

The Regional Council, by consent, approved the February 24, 2010, meeting minutes.

5B. ADOT Red Letter Process

The Regional Council approved the Red Letter Process in 1996 to provide early notification of potential development in planned freeway alignments. Development activities include actions on plans, zoning, and permits. Key elements of the process include Notifications: ADOT will periodically forward Red Letter notifications to MAG. Notifications will be placed on the consent agenda for information and discussion at the Transportation Review Committee, Management Committee, and Regional Council meetings. If a member wishes to take action on a notification, the item can be removed from the consent agenda for further discussion. The item could then be placed on the agenda of a subsequent meeting for action. Advance acquisitions: ADOT is authorized to proceed with advance right-of-way acquisitions up to \$2 million per year in funded corridors. Any change in the budgets for advance right-of-way acquisitions constitutes a material cost change as well as a change in freeway priorities and therefore, would have to be reviewed by MAG and would require Regional Council action. With the passage of Proposition 400 on November 2, 2004, the Regional Transportation Plan (RTP) includes funding for right-of-way acquisition as part of the funding for individual highway projects. This funding is spread over the four phases of the Plan. Funding for advance acquisitions may be made available on a case-by-case basis. For information, the ADOT Advance Acquisition policy allows the expenditure of funds to obtain right-of-way where needed to address hardship cases (residential only), forestall development (typical Red Letter case), respond to advantageous offers or, with remaining funds, acquire properties in the construction sequence for which right-of-way acquisition has not already been funded. In addition to forestalling development within freeway corridors, ADOT, under the Red Letter Process, works with developers on projects adjacent to or close to existing and proposed routes that may have a potential impact on drainage, noise mitigation, and/or access. For this purpose, ADOT needs to be informed of all zoning and development activity within one-half mile of any existing and planned facility. Without ADOT input on development plans adjacent to or near existing and planned facilities, there is a potential for increased costs to the local jurisdiction, the region and/or ADOT. ADOT has forwarded a list of notifications from July 1, 2009 to December 31, 2009. During this period, ADOT received notices from local municipalities, as well as various developers, architects, engineers, and attorneys. Of the 58 notices received, 17 had an impact to the State Highway System.

5C. Project Additions, Amendments and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program

The Regional Council, by consent, approved the additions, amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, and as appropriate, to the

Regional Transportation Plan 2007 Update. The FY 2008-2012 MAG Transportation Improvement Program and Regional Transportation Plan 2007 Update were approved by the MAG Regional Council on July 25, 2007. Requests have been received from the Arizona Department of Transportation and the Town of Buckeye to add new highway right-of-way projects and modify project costs and descriptions in the program. The project adjustments and new projects being added to the TIP are fiscally constrained and funding is available. The MAG Transportation Review Committee, the MAG Management Committee and the Transportation Policy Committee recommended approval of the additions, amendments and administrative modifications as listed in the attached table.

5D. American Recovery and Reinvestment Act (ARRA) Status Report

A Status Report on the American Recovery and Reinvestment Act (ARRA) funds dedicated to transportation projects in the MAG region is provided. This report covers the status of project development as of March 24, 2010. It reports on highway, local, transit, and enhancement projects programmed with ARRA funds and the status of project development milestones per project.

5E. Approval of Transit Planning Agreement and Discussion of Potential Legislation

The Regional Council, by consent, approved the transit planning agreement (MOU) to be forwarded to the Federal Transit Administration and included in the FY 2011 MAG Unified Planning Work Program and Annual Budget. At the February 24, 2010, Regional Council meeting a transit planning agreement (MOU) that incorporated recommendations for transit planning roles and responsibilities was discussed. It was noted at the meeting that the Regional Public Transportation Authority and Valley Metro Rail would be discussing the MOU at their Board meetings and that action by the Regional Council was expected in March. Also discussed was SB 1416 that attempts to align MAG's federal transit planning roles and responsibilities with state statutes. The MAG Regional Council Executive Committee approved the draft legislation for SB 1416. On February 18, 2010, the RPTA Board approved the MOU and the draft SB 1416. On February 24, 2010, the MAG Regional Council approved draft SB 1416 as rewritten and modified. On March 3, 2010, the METRO Board approved the MOU and the draft SB 1416. On March 10, 2010, the MOU was recommended for approval by the MAG Management Committee. On March 22, 2010, the Executive Committee inserted a minor clarification to the MOU and recommended approval.

5F. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program (TIP). The amendment and administrative modification include several projects, including an Arizona Department of Transportation request to add new highway design and right-of-way projects and modify project costs in the program. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination.

5G. Consultation on Proposed Transportation Conformity Processes for the 2010 MAG Conformity Analysis

Federal and state conformity regulations require that MAG consult with federal, state, and local air quality and transportation agencies on proposed processes for the conformity analysis on the Transportation Improvement Program and Plan. MAG is distributing for comment the proposed processes to be applied beginning with the upcoming conformity analysis for the FY 2011-2015 MAG Transportation Improvement Program and the Regional Transportation Plan 2010 Update. Comments regarding this material were requested by March 26, 2010.

5H. Consultation on Potentially Regionally Significant Projects from the Draft FY 2011-2015 MAG Transportation Improvement Program

Federal and state conformity regulations require that MAG consult with federal, state, and local air quality and transportation agencies on which transportation projects will be considered “regionally significant” for the purposes of regional emissions analysis. Regionally significant projects are subject to conformity requirements. A list of potentially regionally significant projects from the proposed Draft FY 2011-2015 MAG Transportation Improvement Program has been prepared. Comments regarding this list were requested by March 26, 2010.

5I. Development of the FY 2011 MAG Unified Planning Work Program and Annual Budget

Each year staff develops the MAG Unified Planning Work Program and Annual Budget. The Work Program is reviewed in April by the federal agencies and approved by the Regional Council in May. The proposed budget information is being presented incrementally in parallel with the development of the budget information (see Prior Committee Actions below for the presentation timeline of the budget). This presentation and review of the draft fiscal year (FY) 2011 MAG Unified Planning Work Program and Annual Budget represent the budget document development to-date. The MAG Regional Council Executive Committee reviewed the development of the Work Program and Annual Budget at its meetings on January 19, 2010 and February 16, 2010. The Regional Council reviewed the development of the Work Program and Annual Budget at its meetings in January and February 2010. The Management Committee reviewed the development of the Work Program and Annual Budget at its meetings in January, February and March 2010. The estimated dues and assessments were presented at these meetings. Because of the uncertainty of economic conditions, the MAG Dues and Assessments were reduced by fifty percent in FY 2010. Staff is proposing to continue with the overall reduction to the FY 2011 draft Dues and Assessments of fifty percent with changes for individual members due to population shifts. Each year new projects are proposed for inclusion in the MAG planning efforts. These new project proposals come from the MAG technical committees and policy committees and through discussions with members and stakeholders regarding joint efforts within the region. These projects are subject to review and input by the committees as they go through the budget process. The proposed new projects for FY 2011 were first presented to the MAG Regional Council Executive Committee at the February 16, 2010, meeting. Revisions to the proposed projects for FY 2011 are described below and these project updates are reflected in the MAG “Programs in Brief”: The Regional Community Network (RCN) Operations project was added to the list of new projects at the beginning of March. This project will provide for the ongoing implementation and maintenance and network management of the RCN. This project allows the network to continue to carry traffic camera transmissions between participating

member Traffic Management Centers and support videoconferencing without interruption. This project is for \$180,000. The 2011 Freight Database purchase for \$200,000 was added to provide data for the proposed Freight Framework Study and to update the MAG Transportation Model. The Freight Database includes information for type of commodity, outbound-inbound shipments by geography, tonnage of shipments, modal detail for truck, rail, and air shipments. The database will also include a future year freight forecast for the study area. The Southeast Corridor Major Investment Study was advanced to the current fiscal year in order to coordinate this with the I-10 Environmental Impact Statement Study currently underway by ADOT. This project was for \$300,000. Following a discussion of two projects at the February 16, 2010, Executive Committee meeting, the Grand Avenue and I-10 West Sustainable Transportation and Land Use Integration Studies, each for \$300,000, were combined and the southeast region of the valley, Chandler and Tempe were included, to form an overall regional study of sustainable transportation and land use integration. This project has been added to the new projects for FY 2011 and is for \$750,000. For many years, MAG has been working on resolving its office space and meeting space needs. MAG currently occupies a portion of the first floor and the second and third floors of the building. A portion of the fourth floor of this building is leased by another tenant through June 30, 2010, and the tenant currently leasing an approximate 75 percent of the fourth floor has indicated that they will not be renewing their lease. MAG has been working with the City of Phoenix on the potential for expanding MAG office space by leasing this fourth floor space. This portion of the fourth floor of the building will be available beginning July 1, 2010 with the potential of the entire fourth floor becoming available during the fiscal year. The fourth floor would be used for staff offices, and the second floor would be reconfigured as meeting space. The estimated costs of this expansion and reconfiguration will be accounted for as capital assets for FY 2011. MAG is requesting the following staff positions for FY 2011: Regional Community Network (RCN) Program Manager, which would be hired for the last four months of FY 2011 to transition from the Regional Community Network Operations consultant. This position is needed to manage the RCN Operations for the region. Senior Transportation Modeler, which is needed to assist with the growing transportation modeling needs. Transportation Engineer II, which will assist with the Highway Performance Monitoring System (HPMS) process. Planner II, which is needed for work in Socioeconomic Research and Analysis to assist with significant increasing requests from member agencies and MAG staff. In addition, new needs, such as evaluating unpaved alleys or providing data for transportation and socioeconomic models have been developed and require additional time and effort. Application Developer, which is needed for the programming development of internal applications and databases; currently the Database Administrator is performing this function in addition to maintaining corporate GIS infrastructure, maintaining existing databases and applications, and assisting other divisions the overall programming needs at MAG. Receptionist, which is requested for the second floor meeting space for one-half of FY 2011 if MAG expands its office space. The Intermodal Planning Group meeting is scheduled for April 29, 2010. This meeting includes a review and comments on the draft FY 2011 MAG budget by the Federal Highway Administration, the Federal Transit Administration, the Environmental Protection Agency, ADOT, the Arizona Department of Environmental Quality, and other related parties. The comments from this meeting are extremely helpful regarding the project work that MAG has underway in meeting the federal requirements. Information from this meeting will be presented to you in May. In addition to the detailed MAG Unified Planning Work Program and Annual Budget, a summary budget document, "MAG Programs in Brief," is produced that allows our members to quickly decipher the financial implications of the MAG budget. The summary budget highlights the changes from the prior

year budget in a summarized form. The summary document also includes the list of new projects with summary narrative, any changes to staff positions if necessary, and the budgeted resources needed to implement these items. Information for this presentation of the draft budget documents is included for early review and input: Draft of the FY 2011 "MAG Programs in Brief." The draft documents presents the newly proposed projects and proposed FTE. Draft FY 2011 MAG Unified Planning Work Program and Annual Budget. The program budget estimates are draft presentations. The information is considered draft and is subject to change as the budget continues through the review process. The draft of the FY 2011 MAG Unified Planning Work Program and Annual Budget has a narrative for each division and associated program costs, draft budget and position schedules in the appendix, including overall program allocations, allocation of funding by funding source, budgeted positions, dues and assessments, and consultant pages for new and carryforward consultants.

5J. Ratification of the Annual Performance Review and Compensation Benefits of the MAG Executive Director

The Regional Council, by consent, ratified the action of the Executive Committee regarding the compensation/benefits of the MAG Executive Director to provide a cost-of-living increase in the amount of 2.7 percent and deferred compensation in the amount of 3.1 percent. In January 2003, the Regional Council approved an agreement to hire the current Executive Director. As part of this agreement, it was provided that the Executive Director would receive an annual performance review conducted by the Executive Committee. On November 23, 2009, the Executive Committee agreed to move forward with the evaluation survey for the MAG Executive Director's performance review. On November 24, 2009, the survey was sent to members of the Regional Council to receive their input on the review. A survey was also sent to the members of the Executive Committee. On March 22, 2010, the Executive Committee reviewed the comments from the Regional Council, discussed the performance of the Executive Director, and took action regarding the compensation/benefits of the Executive Director to provide a cost-of-living increase in the amount of 2.7 percent and deferred compensation in the amount of 3.1 percent.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, reported on items of interest in the MAG region. He stated that the Desert Peaks Awards event will be held following the June 30, 2010, Regional Council meeting. Mr. Smith announced that 26 applications were received by the March 12, 2010, deadline, and the judges have been selected.

Mr. Smith stated that the Joint Transportation Public Hearing was held on March 19, 2010, with MAG, the State Transportation Board, Citizens Transportation Oversight Committee, Valley Metro/RPTA, METRO and the City of Phoenix Public Transit Department. He said that the hearing provided an opportunity for the public to comment on the MAG Transportation Improvement Program and Regional Transportation Plan 2010 Update. Mr. Smith noted that a report on the public hearing will be provided at the April Regional Council meeting.

Mr. Smith informed the Regional Council that staff of the Sun Corridor Joint Planning Advisory Council held a meeting on March 9, 2010, at Gila River Governance Center. He reported that representatives

from MAG, the Central Arizona Association of Governments, the Pima Association of Governments, the Yuma Metropolitan Planning Organization, CANAMEX, the Arizona Mexico Commission, ADOT and Arizona State University attended the meeting. Mr. Smith stated that the next step is to bring scope of work to the Joint Planning Advisory Council, which is tentatively scheduled for April 20, 2010, to discuss the contributed services study for \$300,000 by AECOM.

Mr. Smith then provided a report on the region's Air Quality. He stated that MAG submitted the Five Percent Plan for PM-10 to the Environmental Protection Agency (EPA) on time by December 2007. However, the EPA has not acted to approve or disapprove the Plan, and the Arizona Center for Law in the Public Interest has filed a lawsuit to require EPA to take action on the Plan. Mr. Smith said that in order for the region to be deemed in attainment by EPA, three years of clean data at all PM-10 monitors for a three year period are needed. He explained that the region has four exceedances at the 43rd Avenue monitor and some people think that 2008 cannot be claimed as a clean year.

Mr. Smith advised that if the EPA proposes disapproval of the Plan it could mean 2:1 offsets in emissions on major industries and could place the \$7 billion Transportation Improvement Program in jeopardy.

Mr. Smith noted the four exceedance days at the 43rd Avenue monitor that MAG feels are exceptional/natural events, and he indicated that MAG staff is working with the Arizona Department of Environmental Quality on this evaluation. Mr. Smith displayed the wind trajectory in the area of the 43rd Avenue monitor. He explained the theory that in a high wind event, the high speed winds blow over the smooth surface, picking up dust, and hit the West 43rd Avenue monitor. Mr. Smith stated that after the winds hit the West 43rd Avenue monitor, they blow into the urbanized area where buildings slow the winds down and particles start to drop out. By the time the winds hit the two monitors downwind, the PM-10 concentrations are less. Mr. Smith noted that MAG staff and MAG's consultant, Sierra Research, have been working to prove this theory. He stated that the information has been prepared and sent to EPA and staff hope that the lawsuit will be halted.

Mr. Smith stated that a permanent solution to the West 43rd Avenue monitor might be provided through the Phoenix Rio Salado Oeste Environmental Restoration Project. He reported that the City of Phoenix received a 404 permit in December 2009 for the project from 19th Avenue to 83rd Avenue. Mr. Smith advised that there is a concern is that dredging for the low-flow channel of the project will take place nearby the monitor.

Mr. Smith stated that on March 30, staff participated in a conference call with the Western High Speed Rail Alliance regarding proceeding with plans to apply for a planning grant from the Federal Railroad Administration (FRA). He explained that the FRA is seeking applications for \$115 million in planning and construction grants for high-speed rail, of which \$50 million is available in high speed rail planning project funds. He stated that the applications must be submitted by state DOTs and MAG is considering whether to apply through one of the Alliance's DOTs or through a consortium of the DOTs. Mr. Smith displayed a map developed by the Western High Speed Rail Alliance and said that the Alliance is trying to include the Intermountain West in plans for high speed rail in the nation. Kansas is talking to Colorado about being included in the Intermountain West because of connectivity of the eastern portion of the country to the western portion.



Chair Neely thanked Mr. Smith for his report. She referenced the public hearing Ms. Barker mentioned and she commented that she was unable to attend the public hearing as it was a difficult day for the City. Chair Neely expressed her appreciation to Victor Flores, State Transportation Board member and Regional Council member, who had done a terrific job chairing the hearing.

6. Financial Planning and Fiscal Constraint Requirements for Federal Transportation Funding and Status of Federal Funds Rescission at the Arizona Department of Transportation

Eric Anderson, MAG Transportation Director, reported on items of interest regarding transportation funding. He noted that a letter from ADOT was at each place regarding the reallocation of bid savings on American Reinvestment and Recovery Act (ARRA) projects. Mr. Anderson remarked that he understood the letter went to a number of jurisdictions and caused some concerns. He stated that the letter can be disregarded and MAG is working with member agencies on the reallocation on a regional level. Mr. Anderson added that this would be discussed by the Transportation Review Committee and the recommendations would be brought forward to the Regional Council at a future meeting.

Mr. Anderson reported that the Proposition 400 sales tax revenue for February 2010 was seven percent less than February 2009, and year to date collections are 11.9 percent less than this time last year. Mr. Anderson remarked that he thought the revenue for FY 2010 will be similar to that collected in FY 2004. He noted that the annual sales tax revenue was about \$390 million at its peak and even though the estimate is \$315 million, he thought that this year it would be less than \$300 million. Mr. Anderson stated that the good news is that the highway, arterial and transit programs have been adjusted appropriately, although just some minor adjustments still might be needed.

Mr. Anderson stated that another issue was the federal transportation authorization, SAFETEA-LU, which expired in September 2009. He explained that Congress passed a resolution which extends the transportation law to the end of calendar year 2010 and also repealed the rescission of apportionment on which he reported last month. Mr. Anderson noted that in FY 2009, rescission reduced ADOT's unobligated balances by \$171 million and if the rescission language had not been repealed for this fiscal year, it would have resulted in 28 percent less in transportation funding. He added the U. S. DOT is still sorting it out, but he thought that full funding would be received this year.

Mr. Anderson stated that another issue was that MAG had last received a bank statement (ledger) from ADOT in October 2008 on the status of its federal funds. He stated that the ledgers have been provided and they showed the MAG carryover balance of approximately \$48 million. Mr. Anderson commented that he felt comfortable to say that MAG can manage its program with the extension of the transportation law along with the \$48 million in carryover funds. Mr. Anderson noted that ADOT has paid one of MAG's debt service payment of GANS last year fiscal year, which makes that funding mechanism available this year. He advised that he thought all of the freeway and arterial projects in the TIP would be kept intact.

Chair Neely asked if ADOT would be providing the ledger information on a more regular basis. Mr. Anderson replied yes, ADOT has agreed to provide quarterly reports, which MAG staff feels is sufficient. Chair Neely expressed her appreciation to Mr. Anderson and Mr. Smith for their efforts on these issues.

## 7. Regional Transit Framework Study

Kevin Wallace, MAG Transit Planning Project Manager, provided a report on the Regional Transit Framework. He said that the intent of the framework is to identify transit needs beyond the current 20-year Regional Transportation Plan (RTP), to conduct a “market based” evaluation of needs with transit and non-transit users, and provide a technical framework for future policy discussions.

Mr. Wallace displayed a chart of peer regions’ 2006 annual operating investments per capita, and he noted that the MAG region, at \$71.10 investment per capita, was at the bottom of the peer region average of \$129.87 per capita investment.

Mr. Wallace then described the three draft scenarios developed in the Framework and commented that the study did not recommend a scenario. He stated that the Basic Mobility (Scenario I) is the lowest level of investment and continues the basic investment level to 2030; the Enhanced Mobility (Scenario II) is a moderate investment level that is comparable to peer regions; and the Transit Choice (Scenario III) is a higher level of investment – similar to the Seattle region that has the highest level. Mr. Wallace noted that the Enhanced Mobility Scenario could address existing deficiencies and the Transit Choice Scenario could address future deficiencies.

Mr. Wallace then pointed out the estimated expenditures for each scenario in addition to the RTP Base Scenario of \$14 billion (in 2008 dollars): Scenario I, \$2.05 billion, Scenario II, \$11.05 billion; and Scenario III, \$21.5 billion. He commented that if the MAG region made transit investments not only would it not catch up to its peer regions it would also be comparable in 2030 to where the peer regions were in 2006. Mr. Wallace advised soon after the peer review panel reported to the Transportation Policy Committee in 2008, the voters in Seattle passed another half cent tax for transit.

Mr. Wallace reviewed the conclusions of the study. He said that significant progress has been made, particularly in the last five to ten years, to develop transit in the MAG region, such as the opening of light rail and the success of the Link system. Mr. Wallace stated that most of MAG’s peers are investing more than our region in their regional transit systems, and this investment is a part of their overall transportation and economic development strategy. He stated that public interest in transit is high, in particular, light rail, and through a statistically valid survey, even non-users have interest in light rail and see the need for public transit. Mr. Wallace stated that there is significant agency interest in additional work to strengthen the land use/transit connection. He said that more work needs to be done for performance/market based planning – how we view and plan for transit. Mr. Wallace noted that the peer review panel observed that the MAG transit system is a collection of routes versus a true regional transit system, and service is not integrated as optimally as it could be.

Mr. Wallace stated that this study is a framework only and they anticipate that the Transportation Policy Committee would provide policy direction on key questions, such as which scenario could be pursued. He said that the Transit Committee would provide technical direction for implementation of any of the findings of the study. He advised that funding would be a big issue that would need to be addressed because all of the scenarios would require new funding.

Mr. Wallace displayed the three part motion onscreen and stated that it was recommended for approval by the Management Committee and Transportation Policy Committee: Acceptance of the findings of the Regional Transit Framework as the public transportation framework for the MAG region; acceptance of the enclosed Illustrative Transit Corridors map for inclusion as unfunded regional transit illustrative corridors in the Regional Transportation Plan; and recommend consideration of future planning actions identified in the study through the MAG Unified Planning Work Program process.

Mr. Wallace displayed a map of the illustrative corridors, which is essentially Scenario III. He noted that these are all the corridors they see as potential investments in transit, and does not set any priority in the RTP. He displayed a list of future planning actions for the implementation of study findings and commented that a number of studies would need to be done. Mr. Wallace pointed out that a regional transit foundation, working with the Transit Committee and the Transportation Policy Committee, would provide direction.

Chair Neely commented that all jurisdictions have been struggling with the impact of the loss of Local Transportation Assistance Funds (LTAF) on transit. She said that she would like to see an update that incorporates the assumptions three to six months after the changes are implemented to see what the routes will look like.

Mayor Smith stated that places like Seattle spend a lot of money on transit and he assumed they have a regional transportation tax in place. He added that he was aware of some who have a capital or embedded operations and maintenance tax with no time limit. Mayor Smith commented that not only is the MAG region losing LTAF, it is sitting on a ticking time bomb because of the sunset provision on Proposition 400 and MAG has no plan in place as to how to operate regional routes funded with regional collections. Mayor Smith said that he would like to see a comparison of what other regions have done to fund capital and especially operations and maintenance and what they are doing about sunseting. He remarked that MAG needs to start planning now because it might take that long to get a permanent funding source that extends beyond the sunset date.

Chair Neely asked the timeframe to prepare that information. Mr. Wallace replied that a lot of that type of information was already compiled as a part of the Transit Framework Study, such as a financial component and how peer regions fund transit, and could be brought to the next meeting.

Chair Neely asked if action needed to be delayed until the information was brought back to the Council or if action was needed tonight. Mr. Smith replied that he did not think that approval of the study would have a negative impact and staff would just be providing additional information at the next Regional Council meeting. Chair Neely stated that what she was hearing was the Regional Council could take action to accept the study and then the requested information could be brought to a future meeting. Mr. Smith replied that was correct.

Mayor Rogers commented that she wanted to ensure that the population densities from the 2010 Census were integrated into the Framework.

Chair Neely commented that allowing time for the Census results to be incorporated might require a six to nine month range, but Mayor Rogers brought up a good point.

Mayor Rogers remarked that the Transit Framework is a long range plan and MAG needs to ensure that population and employment corridors are included. Also, as cities look at their local funding, to look at neighborhood collections and connections to help establish a seamless system.

With no further discussion, Councilman Esser moved acceptance of the findings of the Regional Transit Framework as the public transportation framework for the MAG region; acceptance of the enclosed Illustrative Transit Corridors map for inclusion as unfunded regional transit illustrative corridors in the Regional Transportation Plan; and recommend consideration of future planning actions identified in the study through the MAG Unified Planning Work Program process. Mayor Schwan seconded, and the motion passed unanimously.

#### 8. 2010 Census Update

Kelly Taft, MAG Communications Manager, provided an update on 2010 Census outreach efforts. She said that the Census form was sent on March 15 to 135 million addresses in the United States and asks how many people were staying at an address on April 1, 2010.

Ms. Taft stated that in Arizona, more than \$8 billion in federal funding and an additional \$1 billion in state shared revenue is distributed by population. She explained that MAG estimates that every person counted in Arizona equates to about \$1,550 each year for the next ten years, and for this reason, any undercount is a concern. Ms. Taft advised that Arizona could gain a ninth seat in Congress following the 2010 Census. She noted that one of the key messages has been to focus on what the census means to communities, to individuals, and to families who rely on municipal services to improve their quality of life.

Ms. Taft stated that MAG's role in the census effort has been to serve as the liaison between the Census Bureau and member agencies, by assisting with technical geography programs and communication and outreach. She stated that the Count to 10 Census Outreach Group developed materials, shared best practices, discussed communication strategies, and pooled resources.

Ms. Taft reported that the Regional Council approved the use of MAG federal planning funds to help defray the cost of regional advertising buys, and the cities provided more than \$200,000 for a regional campaign. She reviewed the regional media buy, which includes ads broadcast on television and radio stations and ads printed in 14 community newspapers. Ms. Taft noted that the media buy included targeting hard-to-count populations through minority publications and television and radio. She noted that value-added media opportunities totaled more than \$377,000 for the general media buy and \$86,000 for the minority media buy.

Ms. Taft indicated that a key message conveyed through the advertising is that the Census is safe: the Census Bureau safeguards all census responses to the highest security standards available, and personal census information is not shared with any other government agency or organization under penalty of law. Ms. Taft stated that census enumerators who will make visits to residences will present an ID badge that contains a Department of Commerce watermark and expiration date, and if asked, will provide residents with supervisor contact information and the local census office phone number for verification. Ms. Taft stated that census taker will only ask the questions that appear on the census form if he or she is working

on the 2010 Census, however, the exception is that census workers do collect data other than the 2010 Census through monthly surveys. She advised that census takers will not ask for Social Security Numbers, bank account or credit card numbers, solicit donations, make contact via email, or ask to come into a house.

Ms. Taft stated that for those residences who did not return their forms, a census representative could telephone or visit their home as many as six times to complete the questionnaire. She said that if the resident still does not respond, the census taker may ask neighbors about who is residing there. Ms. Taft noted that approximately \$85 million in taxpayer dollars are saved for each one percent increase in mail response, and she said that the mailback response target is 75 percent.

Ms. Taft stated that it is a challenge to reach some people, such as homeless people, winter visitors who are here on April 1 and reside here more than six months out of the year, or immigrants (legal or illegal). She added that no citizenship questions are asked by the census. Ms. Taft noted that another concern is the high number of foreclosures in Maricopa County, and finding out where people who moved out of foreclosed homes are staying.

Al Macias, Regional Partnership Specialist with the U.S. Census Bureau, then continued with the presentation by addressing several recent issues, such as concerns over questions asking about ethnicity and race. He said that the form is a self-identifying form and the opportunity is provided to fill in "other" when asked about race. Mr. Macias stated that another issue is winter visitors. He said many people right now are in transition from their winter home in Arizona and their summer home elsewhere, and he noted that the key factor is where a person resides the majority of the year. Mr. Macias stated that these visitors can wait until they get to their summer home and contact a Be Counted Web site or they can contact the Census Bureau; in any case, if they do not mail back their form they will be a part of the non-responsive followup.

Mr. Macias stated that forms were not delivered to post office boxes, for example, the Town of Buckeye. He reported that the Census Bureau spent a lot of time identifying homes and addresses, but there were some problems in areas that used to be post office boxes but are now in a city and their mail is still delivered to a post office box. He stated that if a residence did not receive a form, the residents have two options: Get a form from the Census Bureau Web site or Be Counted Web site and fill it out, or wait until a census taker comes to the household during the non-responsive followup.

Mayor Schwan stated that the Town of Carefree does not have home delivery of mail, and they were advised by the Census workers that the forms would be dropped off by April 1, but this did not happen. He stated that they are now hearing that residents will be contacted by the end of April. Mr. Macias replied that in some areas with post office boxes the forms are still to be delivered, but he would follow up on Carefree's forms.

Mayor Solarez reported that census forms received by Guadalupe residents say Tempe and she wanted to know if Guadalupe residents would be counted for Guadalupe or Tempe. Mr. Macias replied that there were some zip codes shared by more than one city. He explained that the forms are geocoded and this will ensure that Guadalupe residents will be counted for Guadalupe.

Mayor Rogers expressed concern that people will not open their doors for the non-responsive followup visits at the end of the month. Mr. Macias replied that he has been making operations staff aware of that issue and he is working with Avondale staff.

Mr. Macias then reported on a new online tool being offered for the first time that allows communities to track census response rates and identify areas of slow response. He provided a demonstration of the software and commented that it showed that the return rate in Pinal County is currently 44 percent and in Pima County it is 54 percent. Mr. Macias explained that the tracking program allows viewers to go into specific tracts to see mailback response rates. He advised that in some instances there is a difference of 30 percent response within a couple of miles. Mr. Macias suggested that presentations could be given to community organizations to increase the response rate.

Mayor Schlum noted that at the town level, the Town of Fountain Hills was in the lead with one other community for the highest response rate.

Chair Neely asked if the response rate Web site was a public site that anyone could access. Mr. Macias replied yes, it was on the home page of the Census 2010 Web site. He added that response rates can be viewed at the local, county, and state levels.

Mr. Macias then reviewed the timeline of key activities for Census 2010. He noted that April 1 is the recognized Census Day. In April, many of the households that do not return their questionnaire will receive a replacement form. In March through May, a "Be Counted" program will be implemented whereby census questionnaires will be made available at select public sites for individuals who did not receive one by mail. In April to May, the Census Bureau will conduct counts of group quarters, which involves people living or staying in places such as military barracks, college residence halls, nursing facilities, group homes and correctional facilities. From April to August, follow up interviews will be conducted when clarification is needed to census forms returned. From May to July, a non response follow up will be conducted by census workers who will conduct a personal interview at housing units that did not return a completed questionnaire. In December the Census Bureau delivers apportionment counts to the president. That will include state populations and the number of seats apportioned to each state in the U.S. House of Representatives. Counts will be delivered to states in April 2011.

Mayor Lewis thanked MAG for their assistance on public information efforts. He asked the date that triggers a followup. Mr. Macias replied that telephone calls would be made to people who have not returned their forms by the third week in April.

Mayor Lewis asked for clarification that the goal for the return rate was 75 percent. Ms. Taft replied that was correct; the 75 percent was based on a ten percent increase from the 2000 Census rate of 65 percent return. Mayor Lewis commented that Gilbert's return rate was 48 percent yesterday and he would encourage more response from his residents.

Mr. Macias stated that the Coffelt Project in Phoenix had the lowest response rate in 2000 in the region. He noted that it is already within three percent of that rate, and they are hopeful the 75 percent rate can be attained.

Chair Neely commented that with the financial situation, a complete count of all of the people is needed. She expressed her appreciation for the public information efforts. Chair Neely commented that her college student brought home her Census form to fill out. She expressed that she looked forward to seeing the census numbers at a future date.

Mr. Macias expressed his appreciation to all of the jurisdictions. He said that staff have been extremely supportive and helpful to census staff.

9. Legislative Update

Patty Camacho, MAG Senior Policy Planner, provided an update on legislative issues of interest. She reported that President Obama signed the jobs bill, known as the HIRE ACT. Ms. Camacho said that the bill includes the following provisions: Extends surface transportation programs through December 31, 2010, at current funding levels; provides additional revenue to keep the Highway Trust Fund solvent through the first quarter of 2011 by restoring \$19.5 billion in interest payments foregone on the Highway Trust Fund's previous cash balances; restores \$12 billion in highway spending authority that was cut on September 30, 2009, due to an \$8.7 billion budget rescission in SAFETEA-LU and a subsequent rescission of \$3.2 billion; authorizes payment of interest on future Highway Trust Fund balances; alters the accounting for long-standing fuel tax exemptions provided to state and local governments; and provides \$4.6 billion in additional authority for Build America Bonds, which have been used extensively by state and local governments to fund infrastructure projects, including highway and bridge projects. Ms. Camacho advised that the legislation does not provide additional funding for transportation infrastructure like that provided in the American Recovery and Reinvestment Act, and hopefully may be the subject of future legislation.

Ms. Camacho then reported on state legislation by updating the Council on legislation for the transit planning memorandum of understanding. She advised that MAG staff met with Representative Biggs and an excellent vehicle bill has been located. Ms. Camacho commented that movement on the bill is expected this week.

Chair Neely thanked Ms. Camacho. No questions from the Council were noted.

10. Request for Future Agenda Items

Topics or issues of interest that the Regional Council would like to have considered for discussion at a future meeting will be requested.

Chair Neely noted that upcoming reports would include the updated information from the Transit Framework Study and results from Census 2010.

11. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Chair Neely expressed her appreciation to Valley Metro Rail and Valley Metro/RPTA for assisting the memorandum of understanding for transit planning through their agencies' approval processes.

Chair Neely commented on agenda item #5J and expressed to Mr. Smith that he had done an outstanding job as Executive Director. She remarked that she was very pleased with the job he had done.

12. Adjournment

There being no further business, Mayor Hallman moved to adjourn, Mayor Solarez seconded, and the meeting adjourned at 6:05 p.m.

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Chair

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Secretary